

Appln No. 10/735,028
Reply to Office Action dated March 18, 2005

REMARKS

In the Office Action, the Examiner noted that claims 1-18 are pending in the application, and that claims 1-18 are rejected. By this response, claims 1-18 are amended. In view of the above amendments and the following discussion, Applicant submits that none of the claims presently in the application are indefinite, anticipated, or obvious under the respective provisions of 35 U.S.C. §§ 112, 102, or 103. Thus, the Applicant believes that all of these claims are now in allowable form.

REJECTION OF CLAIMS UNDER 35 U.S.C. §112

The Examiner rejected claims 1-18 under 35 U.S.C. §112, second paragraph. The Applicant has amended claims 1, 7, 10, and 11 as indicated above. The amendments are fully supported by the specification, as originally filed, and add no new matter. As such, the Applicant requests reconsideration and withdrawal of the 35 U.S.C. §112, second paragraph rejection of claims 1-18.

REJECTION OF CLAIMS UNDER 35 U.S.C. §102

The Examiner rejected, under 35 U.S.C. §102(b), claims 1, 2, 6, 7, 9-11, 13, and 14 as being anticipated by Silcott (U.S. Patent No. 545,827; issued September 3, 1895); and claims 1, 2, 6, 7, 9, and 14 as being anticipated by Roberts (U.K. Patent No. GB2170753A, published August 13, 1986). The Applicant traverses the rejections.

A. Claims 1, 2, 6, 7, 9-11, 13, and 14

The Examiner rejected, under 35 U.S.C. §102(b), claims 1, 2, 6, 7, 9-11, 13, and 14 as being anticipated by Silcott. Silcott discloses a screwing and boring hand-tool. The tool has several chucks. Each of the chucks has a different implement (i.e., a drill, a screwdriver, and a nut-socket) attached thereto.

“... and by holding the tool in proper position any one of the implements can be operated without the least difficulty without removing or being interfered with by the remaining implements.

By holding the tool in proper position any one of the implements can be readily operated, by revolving the stem E, without the least difficulty and without removing or being interfered with by the remaining implements. For example, a set-screw hole may be bored, and by simply turning the tool upside down such

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screw can be run into its place by means of the nut-socket on one of the spindles.”
See Silcott at lines 64-77.

Thus, Silcott discloses a device containing multiple implements where the implements are non-simultaneously rotated nor are the implements simultaneously used.

In contrast, the Applicant discloses a drill having multiple chucks. Each of the chucks rotates simultaneously in a same direction. Thus the device allows a user to use simultaneously use multiple implements (e.g., drill bits) at the same time. Applicant's independent claim 1 recites, in pertinent part:

“A drill comprising:
a rotary power source communicating with a hand-held body;
a plurality of chucks, each pair of adjacent chucks having a uniform pre-set spacing;
said chucks attached to a housing;
said chucks being simultaneously rotated in a same direction by respective linearly aligned drive gears, said drive gears being rigidly attached to respective shafts driving each respective chuck of said plurality of chucks; ...” Emphasis added.

“Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.” Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added). Silcott does not teach each and every element of Applicant's independent claim 1. Therefore, the Applicant contends that at least for the reasons provided, Applicant's claim 1 is not anticipated by Silcott.

Furthermore, dependent claims 2, 6, 7, 9-11, 13, and 14 (which depend directly or indirectly upon claim 1) recite additional features therefor. Since Silcott does not anticipate Applicant's invention as recited in claim 1, Applicant submits that the dependent claims which depend therefrom are also not anticipated and are allowable. As such, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1, 2, 6, 7, 9-11, 13, and 14.

B. Claims 1, 2, 6, 7, 9, and 14

The Examiner rejected, under 35 U.S.C. §102(b), claims 1, 2, 6, 7, 9, and 14 as being anticipated by Roberts. Roberts discloses a tool for cutting a slot in doors for receiving locks. Roberts' device uses a geared shaft meshed with a gear cluster. Each gear of the cluster is keyed to a respective drill bit. Adjacent gears turn in opposite directions. In fact Roberts indicates that

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"each bit is rotated in an opposite direction to that of an adjacent bit such that adjacent bits must be, respectively, left handed or right handed."

As explained above, the Applicant's independent claim 1 recites in pertinent part:

"... chucks being simultaneously rotated in a same direction ..."

Roberts does not teach each and every element of Applicant's independent claim 1. Therefore, the Applicant contends that at least for the reasons provided, Applicant's claim 1 is not anticipated by Roberts.

Furthermore, dependent claims 2, 6, 7, 9, and 14 (which depend directly or indirectly upon claim 1) recite additional features therefor. Since Roberts does not anticipate Applicant's invention as recited in claim 1, Applicant submits that the dependent claims which depend therefrom are also not anticipated and are allowable. As such, the Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1, 2, 6, 7, 9, and 14.

REJECTION OF CLAIMS UNDER 35 U.S.C. §103(a)

The Examiner rejected, under 35 U.S.C. §103(a), claims 15 and 16 as being unpatentable over Silcott in view of Penner (U.S. Patent No. 3,924,493, issued December 9, 1975); claims 15 and 16 as being unpatentable over Roberts in view of Penner; claim 17 as being unpatentable over Silcott in view of Penner, further in view of Craft (U.S. Patent No. 4,995,768, issued February 26, 1991); and claim 17 as being unpatentable over Roberts in view of Penner, further in view of Craft. The rejections are respectfully traversed.

A. Claims 15 and 16

The Examiner rejected, under 35 U.S.C. §103(a), claims 15 and 16 as being unpatentable over Silcott in view of Penner; and claims 15 and 16 as being unpatentable over Roberts in view of Penner.

The explanation of Silcott and Roberts provided above are also applicable with respect to the obviousness rejections. For brevity, the explanation of Silcott and Roberts is incorporated into the instant section. As explained above, neither Silcott nor Roberts teaches or discloses "said chucks being simultaneously rotated in a same direction by respective linearly aligned drive gears, said drive gears being rigidly attached to respective shafts driving each respective chuck of said plurality of chucks," as recited in Applicant's independent claim 1. The addition

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of Penner to Silcott or Roberts does not correct the shortcomings of Silcott or Roberts. For example, Penner discloses a push button quick release incorporated in an extension shaft for socket wrenches.

As such, the Applicant submits that Silcott and Penner; or Roberts and Penner either individually or in any reasonable combination do not render Applicant's independent claim 1 obvious. In addition, dependent claims 15 and 16 (which depend from independent claim 1) are also not rendered obvious, by Silcott and Penner; or Roberts and Penner, at least for their dependency upon independent claim 1. As such, Applicant requests reconsideration and withdrawal of the 35 U.S.C. §103 rejection of claims 15 and 16.

B. Claim 17

The Examiner rejected, under 35 U.S.C. §103(a), claim 17 as being unpatentable over Silcott in view of Penner, further in view Craft; and claim 17 as being unpatentable over Roberts in view of Penner, further in view of Craft.

The explanation of Silcott Penner; and Roberts and Penner provided above, in Section A, are also applicable with respect to the obviousness rejections in the instant section. For brevity, the explanation is not provided in as great a detail. The addition of Craft to Silcott and Penner; or Roberts and Penner does not correct the shortcomings of Silcott and Penner; or Roberts and Penner. For example, Craft discloses

A rapid change drill holder assembly consisting of a chuck-engaging adaptor holder for selectively fixed engagement with a power tool chuck and a tool holder adaptor for selectively operative engagement with the chuck-engaging adaptor holder so as to permit selective changing of tools fixedly mounted in the tool holder adaptor without the necessity of removing the chuck-engaging adaptor holder from the power tool chuck each time a tool change is required. See Craft, Abstract.

Craft however is also silent with respect to "... chucks being simultaneously rotated in a same direction" As such, the Applicant submits that Silcott, Penner, and Craft; or Roberts, Penner, and Craft either individually or in any reasonable combination do not render Applicant's independent claim 1 obvious. In addition, dependent claim 17 (which depend from independent claim 1) are also not rendered obvious, by Silcott, Penner, and Craft; or Roberts, Penner, and Craft, at least for its dependency upon independent claim 1. As such, the Applicant requests reconsideration and withdrawal of the 35 U.S.C. §103 rejection of claim 17.

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ALLOWABLE SUBJECT MATTER

The Examiner indicated that claims 3-5, 8, 12, and 18 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph, set forth in the Office action and to include all of the limitations of the base claim and any intervening claims. Applicant submits that all of the claims, as amended, are allowable.

CONCLUSION

Thus, the Applicant submits that none of the claims presently in the application are indefinite, anticipated, or obvious under the respective provisions of 35 U.S.C. §§ 112, 102, or 103. Consequently, the Applicant believes that all claims are presently in condition for allowance. Again each of the references cited by the Examiner is designed for a specific purpose. However, none of the cited references either individually or in any reasonable combination addresses the problem that the Applicant's claimed invention solves. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Alfred Walker at (631)-361-8737, so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Dated: June 27, 2005

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Respectfully submitted,



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CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence is being deposited by fax to 703-872-9306 on the date indicated below.

Date: June 27, 2005



Alfred M. Walker

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